Notice of Allowability	Application No.	Applicant(s)
	10/627,566	WILSON, GEORGE E.
	Examiner	Art Unit
	David A Reifsnyder	1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *comunication filed on 9/20/2004 and the Examiner-Initiated Interview of 9/24/2004*.

2. ☒ The allowed claim(s) is/are *37-46 (renumbered as claims 1-10, respectively)*.

3. ☒ The drawings filed on *24 July 2003* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *9/24/04* .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael P. Girard on September 24, 2004.

During that Interview it was agreed that the Examiner would update the continuing data in the related applications section of the specification because U.S. Patent Application No. 09/712,693 has issued as U.S. Patent No. 6,645,382 B2.

Furthermore, the Amendment that the Applicant filed on September 20, 2004 has the wrong status identifiers for claim 35 and 36 as those claims were not original claims. In addition, the Amendment only addresses claims 19-26 and 34-36 and fails to address claims 1-18 and 27-33. Claims 1-18 and 27-33 were canceled by the preliminary amendment filed on July 24, 2003; however canceling claims 30-33 was in error as claims 30-33 never existed in this case. Lastly, the amendment included claims 21 and 22 which are substantially duplicate claims.

Therefore, to avoid potential printer problems and to avoid duplicate claims it has been agreed that the Examiner would cancel claims 19-26 and 34-36 and add new claims 37-46.

The application has been amended as follows:

In The Specification

The related application section of the specification which begins on the 1st line of page 1 of the specification has been replaced with the following:

Related Applications

This is a U.S. Divisional Application which claims priority from U.S. Application No. 09/712,693, filed November 13, 2000, now issued as U.S. Patent No. 6,645,382 B2. The prior U.S. Application No. 09/712,693 is incorporated herein by reference.

In The Claims

Claims 19-26 and 34-36 have been canceled.

New claims 37-46 have been added bellow.

The following includes all of the claims in this application:

Claims

1-36 (canceled)

37. (new) A method of conveying influent to a head cell having multiple trays aligned in a vertical direction, the method comprising:

providing an influent source at a first level above the head cell;

channeling influent from the influent source in a duct to the head cell at a second level lower than the first level;

changing a velocity of the influent in the duct by channeling the influent through a portion of the duct having a changing cross-sectional area; and

at the head cell, separating the influent from the duct into multiple flows and conveying the multiple flows to the respective multiple trays.

38. (new) The method of claim 37, wherein the act of changing a velocity includes increasing the velocity of the influent to a predetermined velocity.

39. (new) The method of claim 38, wherein after the influent reaches the predetermined velocity, the influent is maintained at substantially the predetermined velocity.

40. (new) The method of claim 38, wherein upon reaching the predetermined velocity, the influent is guided by the duct through a drop in level, and wherein the influent velocity remains substantially constant.

41. (new) The method of claim 37, further comprising conveying the influent through a drop in level with a portion of the duct that slopes downwardly.

42. (new) The method of claim 37, wherein the influent flows from the influent source and through the duct without substantial head loss.

43. (new) A method of conveying influent to a treatment apparatus , comprising:

providing an influent source at a first level above the treatment apparatus;

conveying the influent with a duct along a flow path from the influent source to the treatment apparatus at a second level lower than the first level; and at the treatment apparatus, distributing the influent into multiple independent flows at different levels below the first level while maintaining a velocity of the influent substantially at a predetermined value.

44. (new) A method of conveying influent to a head cell with an entry duct, the method comprising:

providing a first section of the duct adapted to receive an entering open channel flow of influent at a first elevation;

providing a second section of the duct positioned downstream of and sloping downwardly from the first section, the second section having a second section cross sectional area in a plane normal to a direction of flow in the second section that remains substantially constant over a length of the second section;

providing a third section positioned downstream of the second section and terminating in multiple nozzles, the nozzles having a closed cross-section and being arranged at different elevations lower than the first elevation, the nozzles having a total cross sectional area substantially equal to the second section cross sectional area; and

distributing a flow received from the first and second sections through the multiple nozzles of the third section as full-pipe flow.

45. (new) The method of claim 44, wherein the flow through the duct occurs at a predetermined design velocity.

46. (new) The method of claim 44, wherein the flow through the duct occurs at a predetermined design velocity of about five feet per second.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A Reifsnyder whose telephone number is (571) 271-1145. The examiner can normally be reached on M-F 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda M Walker can be reached on (571) 272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David A Reifsnyder
Primary Examiner
Art Unit 1723

DAR